

Senate Engrossed

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Fiftieth Legislature
Second Regular Session
2012

CHAPTER 65

SENATE BILL 1213

AN ACT

AMENDING SECTION 31-281, ARIZONA REVISED STATUTES; RELATING TO PRISONERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 31-281, Arizona Revised Statutes, is amended to
3 read:

4 31-281. Transition program; report

5 A. The department shall establish a transition program. The
6 department shall administer the transition program and contract with private
7 or nonprofit entities to provide eligible inmates with transition services
8 and shall procure transition services pursuant to title 41, chapter 23.

9 B. The director shall adopt rules to implement this article. The
10 rules shall include:

11 1. Eligibility criteria for receiving a contracted entity's transition
12 services. To be eligible, at a minimum, an inmate shall:

13 (a) Not have been convicted of a violation of title 13, chapter 14 or
14 17 or title 28, chapter 4.

15 (b) Be classified by the state department of corrections as a low risk
16 to the community.

17 (c) Not have been convicted of a violent crime as defined in section
18 13-901.03 OR A DOMESTIC VIOLENCE OFFENSE PURSUANT TO SECTION 13-3601.

19 (d) Have a nonviolent risk score as determined by the department.

20 (e) Not have any felony detainers.

21 (f) Agree in writing to provide specific information after the inmate
22 is released. The department shall use the information to prepare the report
23 prescribed by subsection D, paragraph 3 of this section.

24 (g) Have made satisfactory progress on the inmate's individualized
25 corrections plan as determined by the department.

26 (h) Have maintained civil behavior while incarcerated as determined by
27 the department.

28 (i) Be current on restitution payments pursuant to section 31-254.

29 (j) Have a need and ability to benefit from the program as determined
30 by the department.

31 2. A requirement that each contracted entity train mentors or certify
32 that mentors are trained.

33 3. The services that may be offered to an inmate.

34 4. The criteria for inmates to participate in a three month early
35 release program. Inmates are not required to receive an early release.

36 5. A requirement that an inmate may be released pursuant to this
37 article only after the victim has been provided notice and an opportunity to
38 be heard. The department shall provide notice to a victim who has provided a
39 current address or other contact information. The notice shall inform the
40 victim of the opportunity to be heard on the early release. Any objection to
41 the inmate's early release must be made within twenty days after the
42 department has mailed the notice to the victim.

43 C. In awarding contracts under this section the department shall
44 comply with section 41-3751.

1 D. The department shall:
2 1. Conduct an annual study to determine the recidivism rate of inmates
3 who receive a contracted entity's services pursuant to this article.
4 2. Evaluate the inmate and provide the information to the contracted
5 entity.
6 3. Submit a written report to the governor, the president of the
7 senate and the speaker of the house of representatives on or before July 31
8 of each year and provide a copy of this report to the secretary of state and
9 the director of the Arizona state library, archives and public records. The
10 report shall contain the following information:
11 (a) The recidivism rate of inmates who receive services pursuant to
12 this article.
13 (b) The number of inmates who received services pursuant to this
14 article.
15 (c) The number of inmates who were not provided services pursuant to
16 this article and who were on a list waiting to receive services.
17 (d) The types of services provided.
18 (e) The number of inmates who received each type of service provided.
19 Sec. 2. Emergency
20 This act is an emergency measure that is necessary to preserve the
21 public peace, health or safety and is operative immediately as provided by
22 law.

APPROVED BY THE GOVERNOR MARCH 21, 2012.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 22, 2012.

Passed the House March 15, 2012,

by the following vote: 50 Ayes,

9 Nays, 1 Not Voting

Ken P. Iyer With Emergency
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate February 9, 2012

by the following vote: 24 Ayes,

5 Nays, 1 Not Voting

Steve Finney With Emergency
President of the Senate

Charmian B. Blumenthal
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

19th day of March, 2012

at 1:50 o'clock P M.

James J. [Signature]
Secretary to the Governor

Approved this 21st day of

March, 2012

at 1:31 o'clock P M.

Janice K. Brewer
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 22nd day of March, 2012

at 8:14 o'clock a M.

Ken Blumenthal
Secretary of State

S.B. 1213